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Office of Legislative Affairs

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Office of the Assistant Attorney General

Washington, D.C. 20530

January 23, 2001

SECRET

MEMORANDUM FOR THE ACTING ATTORNEY GENERAL

FROM:

Sheryl L. Walter

SUBJECT:

Weekly Report for January 22, 2001 - January 26, 2001

THE WEEK AHEAD

Wen Ho Lee: Draft responses to questions for the record from Senator Leahy, in follow up of the September 26 and 27 hearings, are pending in the Criminal Division. Responses to document requests for sealed records and deliberative materials have been deferred while activities related to open matters in the case continue; Committee staff have been informed of this. Declassification of the Bellows report remains pending at FBI. No further hearings are scheduled at this time.

TOPOFF I/Bioterrorism: Staff for Senator Kennedy have requested an after action briefing on TOPOFF I. They are particularly interested in the bio exercise and have an interest in discussing initiatives to improve early detection.

Indianapolis Baptist Temple: The House Judiciary Committee has submitted a written request for an oversight briefing on the pending seizure of this property by the United States Marshals Service.

Senate Governmental Affairs Inquiry regarding the Office of Professional Responsibility (OPR). Staff for Senate Governmental Affairs Chairman Thompson have informally requested information about an OPR conclusion that allegations of misconduct by the U.S. Attorney's Office and the Criminal Division, in connection with a decision not to prosecute particular individuals, did not warrant further action. We expect to address the staff concerns, consistent with the Privacy Act, in a conference call later this week.

Congressman Weiner's request for classified information relating to Jonathan Pollard.

Congressman Weiner's staff informally requested that the Congressman be provided access to the classified information, previously provided to Mr. Pollard's counsel during the sentencing proceedings, which was not provided to Mr. Pollard's subsequent counsel based upon a conclusion that the "need to know" test had not been satisfied. We advised Congressman Weiner's staff that the report that we had provided access to the information to Senator Schumer and others was incorrect. The staff understood the sensitivity of this matter and will advise us further if the Congressman seeks additional information.

THE WEEK IN REVIEW

Nominations: On January 19, the White House recess appointed Sarah Wilson to be a judge on the U.S. Court of Federal Claims.

Voting Rights: On January 23, Acting Assistant Attorney General Bill Yeomans, Deputy Assistant Attorney General Loretta King, Acting Voting Section Chief Joe Rich and OLA staff met with House Government Reform Committee staff for Ranking Minority Member Waxman to respond to the Ranking Minority Member's request for information about what the Division is doing following the 2000 election. We provided information about how allegations are received, the types of allegations that are typically received, and how the Voting Section goes about conducting an investigation. Staff stated that they were looking at areas where the Committee may want to be active.

Wen Ho Lee: A letter to the Intelligence Committees and the Senate Judiciary Committee on Dr. Lee's conditions of confinement was sent on January 20.

Santo Daime: The Religious Freedom Restoration Act working group considering the Uniao Do Vegetal and Church of the Santo Daime requests for relief from the Controlled Substances Act met on Tuesday to consider how the Department should react to a January 25 PI filing deadline in the Uniao Do Vegetal case. An effort is now underway to brief the Acting Deputy Attorney General and others to receive guidance on the legal questions presented.

The President's Education Proposal. We are awaiting a description of the Administration's proposed education reform plan, which we expect will serve as the basis for the draft legislation. The proposal, which is expected to be introduced as S. 1 and H.R. 1, is to be transmitted to congressional leadership and cabinet agencies today.

Campaign Finance Reform Legislation. The McCain-Feingold campaign finance reform legislation has been introduced as S. 27 today in the Senate and the Department has begun initial review of the legislation. A draft views letter should be available for review within the Department by February 6, 2001.